

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**JONNIE HAYWARD WHITE,**

**Petitioner,**

**v.**

**UNITED STATES OF AMERICA**

**Petitionee.**

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**Case No. 2:05-cr-174  
Judge Algenon L. Marbley**

**ORDER**

This matter is before the Court on Petitioner Jonnie Hayward White's Motion to Correct Sentence pursuant to Federal Rule of Criminal Procedure 36. Petitioner complains about two "clerical errors" with the Judgment and Commitment Order (the "Judgment") and requests the Court amend the Judgment. The Motion is **GRANTED**.

Petitioner's first complaint is that the Court orally announced Petitioner's final offense level was 36, but the written Judgment states the base level is 38. The correct offense level is what this Court announced, 36. Therefore, Petitioner's motion to amend the base level on the Judgment is **GRANTED**.

Petitioner's second complaint is that the Court orally announced for the fine to be paid under the following conditions:

The Court finds the defendant has the ability to pay in the amount of \$1000. The fine is due immediately with any unpaid balance to be paid as a condition of supervised release. While incarcerated, if the defendant is working a non-Unicor or grade 5 Unicor job, he shall pay \$25 per quarter toward the fine obligation. If working in a grade 1 through 4 Unicor job, Mr. White shall pay 50 percent of his monthly pay toward the fine obligation.

(Sentencing Transcript, p. 12.)

The Judgment does not set forth the above schedule of payments. The Petitioner's motion to amend the Judgment to specifically state that Petitioner pay his criminal fine in installment payments as specified above is therefore **GRANTED**.

**IT IS SO ORDERED.**

s/Algenon L. Marbley  
**ALGENON L. MARBLEY**  
**UNITED STATES DISTRICT COURT**

**Dated: June 5, 2009**